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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,146	02/11/2004	Peter Arthur Tobler	718026.64	2145

27128   7590   03/27/2006

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EXAMINER
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ART UNIT	PAPER NUMBER
2857	

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/708,146	TOBLER ET AL.
	Examiner	Art Unit
	Leon M. Bathini Jr.	2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _11 February 2004_.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-47_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-3, 7 9-11, 15-17, 19-21, 23, 26-35, 38-42, and 44-47_ is/are rejected.

7) ☒ Claim(s) _4-6, 8, 12-14, 18, 22, 24, 25, 36, 37 and 43_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _11 February 2004_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _2/11/2004_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   **Claims 4-6, 8, 12-14, 18, 22, 24, 25, 36, 37, and 43** are objected to because of the following informality.

The phrase, "through a group consisting of... and..." is unclear and seems to construe that *all* the things mentioned in the claims are required. The Examiner will use this definition of the phrase when analyzing the claims.

2.   **Claim 2** is objected to because of the following informality.

The word "field" needs to be clarified. In the specification the Applicant mentions "field groups" in paragraph [0081]. However, the claims do not use this same terminology, and it is unclear as to which "field" is being used. In claim 2 it states, "inputting information relating to at least one *field* includes inputting at least one *field type* and inputting at least one *specific field.*" These three phrases are not mentioned in the specification. The Examiner will use a "field type" to mean a field group as mentioned in paragraph [0081] of the specification, and a "field" to mean an interface element in a GUI that accepts the input of text.

3.   **Claim 1** is objected to because of the following informality.

According to the specification measurement data includes specifying the types of unit of measurement [0086]. In claim 1, the Examiner uses this definition of measurement data when rejecting the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   **Claims 1-3, 7, 9-11, 15, 19, 23, 26, 30, 33-35, 38, 41, 42, and 46** are rejected under 35

U.S.C. 102(b) as being anticipated by Piety et al. (U.S. Patent No. 6,192,325 B1).

With respect to **claim 1-3, 7, 9-11, and 15** Piety et al. teach the following:

- A method of inputting information relating to least one part from at least one input

device into the computer system (col. 9, lines 9-18).

- A method of inputting information relating to at least one field from the at least one

input device into the computer system (Fig. 6).

- A method of inputting measurement data from a plurality of measurement devices,

wherein the inputted measurement data is at least partially correlated to the information related

to the at least one part and the information related to the at least one field. (col. 12, lines 57-67;

col. 13, lines 1-24; col. 12, lines 33-49; and Fig. 7). It is inherent that from these measurement

points, measurement data will be collected through equipment (col. 25, lines 4-8).

- A method of inputting information relating to the at least one part includes inputting at

least one part type (col. 12, lines 57-58) and inputting at least one specific part (col. 13, lines 1-

4) and the inputting information relating to the at least one field includes inputting at least one

field type (col. 12, lines 50-51) and inputting at least one specific field (col. 12, lines 39-46, the

measurement technologies).

- inputting information relating to at least one facility into the computer system (Fig. 5).

- the inputting measurement data from a plurality of measurement devices includes

inputting at least one type of unit of measurement (Fig. 7).

- the inputting measurement data from a plurality of measurement devices includes

inputting at least one specific unit of measurement (Fig. 7).

- the inputting measurement data from a plurality of measurement devices includes inputting at least one type of test (col. 16, lines 63+). The amplitude limits are tested against the trended data.

- the inputting measurement data from a plurality of measurement devices includes at least one specific test (col. 16, lines 55-62). The specific tests include roller element bearing temperature, and others.

- entering and viewing the measurement data utilizing at least one workstation (col. 8, lines 26-35 and lines 55-64).

With respect to **claims 19, 23, 26, and 30**, Piety et al. teach the following:

- evaluating the inputted measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails (col. 10, line 65 – col. 11, line 19). The notification of the test is an alarm in the reference.

- generating reports with the computer system (col. 11, lines 46-52).

- identifying at least one first user that provides the entering of the measurement data utilizing at least one workstation (col. 9, lines 16-25).

- the failure of the at least one predetermined test generates an alarm (col. 10, line 65 - col. 11, line 19 and col. 16, line 63 – col. 17, line 6).

With respect to **claims 33-35, 38, 41, 42, and 46**, Piety et al. teach the following:

- inputting information relating to at least one part into the computer system (col. 9, lines 9-13);

- inputting information relating to at least one field into the computer system (Fig. 6);

- inputting measurement data from a plurality of measurement devices (col. 12, lines 33-49 and col. 13, lines 1-24 and Fig. 7);

- entering and viewing measurement data utilizing at least one workstation (col. 8, lines 55-67 and lines 16-25);

- evaluating the inputted measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails (col. 10, line 65 – col. 11, line 19 and col. 11, lines 41-61) .

- at least one input device for receiving information relating to at least one part and receiving information relating to at least one field (col. 9, lines 54-67);

- a plurality of measurement devices for receiving measurement data, wherein the inputted measurement data is at least partially correlated to the information related to the at least one part and the information related to the at least one field (col. 9, lines 1-18 and Fig. 6).

- the information relating to the least one part includes at least one part type (col. 12, lines 57-58) and at least one specific part (col. 13, lines 1-4) and the information relating to the at least one field includes at least one field type (col.12, lines 50-51) and at least one specific field (col. 12, lines 39-46).

- at least one workstation for entering and viewing the measurement data (col. 8, lines 26-35 and lines 55-64).

- the inputted measurement data is evaluated with the computer system with at least one predetermined test and a notification is provided if the at least one predetermined test fails (col. 10, line 65 – col. 11, line 19 and lines 41-61).

- the computer system generates at least one report (col. 11, lines 46-52).

- the computer system generates an alarm upon failure at least one predetermined test

(col. 10, line 65 – col. 11, line 19 and col. 16, line 63 – col. 17, line 6).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   **Claims 16, 17, 20, 21, 39, 40, and 47** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Piety et al., in view of Koether (U.S. Publication No. 2002/0082924 A1).

With respect to **claims 20, 21, and 47**, Piety et al. teach all the features of claims 1 and

34, from which claims 20, 21, and 47 depend. However, Piety et al. do not teach a

predetermined test that provides a notification and assignable cause of a test failure.

Koether teach the following elements of **claims 20, 21, and 47**:

- evaluating the inputted measurement data from a plurality of measurement devices

with the computer system in accordance with at least one predetermined test and providing a

recommended remedial action when the at least one predetermined test fails (paragraph [0105],

[0117] and [0172]). The remedial action is done through the service vehicle.

- the computer system generates a response from the group consisting of a

recommended remedial action and an assignable cause (paragraph [0156]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify Piety et al. to include a test failure analysis of Koether, because

recommending an assignable cause with a remedial action would have allowed the user to

quickly solve the problem of a computer system, which would lead to saving time and money.

With respect to **claims 16 and 39**, Piety et al. teach all the features of claims 15 and 38,

from which claims 16 and 38 depend. Piety et al. teach a workstation that is an industrial

computer (col. 8, lines 26-35 and lines 55-64). This workstation is used to monitor the

equipment.

However, Piety et al. do not teach a method where at least one workstation is selected

from the group consisting of pocket processors, programmable logic controllers, and personal

computers.

Koether teach a method where at least one workstation is selected from the group

consisting of pocket processors, programmable logic controllers and personal computers (col. 8,

lines 15-19 and 26-35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify Piety et al. to include the type of workstations of Koether,

because it takes into account the compatibility of the environment with the workstation. For

instance a service technician may find it more helpful to use a wireless hand held device when

trying to locate and fix equipment in a plant.

With respect to **claims 17 and 40**, Piety et al. teach all the features of claims 15 and 34,

from which claims 17 and 40 depend. However, Piety et al. do not teach the different ways a

workstation can transmit data.

Koether teach a computer system includes at least one main server that is able to

transmit data with the at least one workstation through a group consisting of direct hardwired

connection, wireless communication, local area networks, internet, and wide area network

(paragraph [0101, 0108, 0094, and 0206]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify Piety et al. to include the computer network system of Koether,

because such a computer network would allow the transfer of data between various

workstations that would best fit an environment. For instance, even though a direct hard-wired

network may be reliable, a wireless communication network may be cheaper to install.

7.   **Claims 27-29, 32, 44, and 45** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Piety et al., in view of Lang (U.S. Patent No. 5,191,611).

With respect to **claims 27-29, 32, 44, and 45**, Piety et al. teach all the features of claims

26, 28, 1, and 34, from which claims 27-29, 32, and 45 depend. However, Piety et al. do not

teach a method for an electronic signature with special user privileges.

Lang teach the following elements of **claims 27-29, 32, 44, and 45**:

- the identifying at least one first user that provides the entering of the measurement

data utilizing at least one workstation includes inputting a userid and a personal identification

number to create an electronic signature (col. 5, lines 62-65).

- observing verification of the entered measurement data by the at least one first

user with at least one-second user (col. 7, lines 14-37).

- identifying the identity of the at least one second user by inputting a userid and a

personal identification number to create an electronic signature (col. 6, lines 2-7).

- selective aspects of the computer system can be selectively blocked from view for a

user depending on a predetermined security role determined for that user (col. 5, lines 59-65).

- the at least one workstation requires identification of at least one first or second user

that observes the entered measurement data by the at least one first user with an electronic

signature (col. 6, lines 2-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify Piety et al. to include an electronic signature with special user

privileges of Lang, because an electronic signature would help track of who is using a particular

workstation and also protect critical information from being viewed by unauthorized individuals.

8.   **Claim 31** is rejected under 35 U.S.C. 103(a) as being unpatentable over Piety et al., in

view of LaBudde (U.S. Patent No. 5,247,460).

With respect to **claim 31**, Piety et al. teach all the features of claim 19 from which claim

31 depend. However, Piety et al. do not teach a method for generating at least one statistical

process control chart utilizing the inputted measurement data.

LaBudde teaches generating at least one statistical process control chart utilizing the

inputted measurement data (Fig. 2a and col. 5, lines 44-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify Piety et al. to include a statistical process control chart of

LaBudde, because a statistical process control allows the user to better identify a projected

outcome of quality products coming from a manufacturing plant, as we all to identify outlier

elements when analyzing the data points.

Allowable Subject Matter

9.   **Claims 4-6, 8, 12-14, 18, 22, 24, 25, 36, 37, and 43** are objected to as being dependent

upon a rejected base claim, but would be allowable if rewritten in independent form including all

of the limitations of the base claim and any intervening claims.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Leon M. Bathini Jr. whose telephone number is 571-272-7129. The

examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Marc Hoff can be reached on 571-272-2216. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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LBJ

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